

## REMARKS/ARGUMENTS

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the amendments and remarks herewith, which place the application into condition for allowance. The present amendment is being made to facilitate prosecution of the application.

### I. STATUS OF THE CLAIMS AND FORMAL MATTERS

Claims 7-14 are currently pending. Claims 7, 9, and 11-12 were rejected. Claims 7 and 11 are independent. Applicant thanks the examiner for allowing claims 8, 10, 13, and 14.

### II. REJECTIONS UNDER 35 U.S.C. §103

The Office Action rejected claims 7, 9, and 11-12 under 35 U.S.C. § 103(a) as allegedly obvious over U.S. 5,699,731 (Hara) in view of U.S. 4,639,776 (Foerster).

Claim 7 recites: “the empty ink container recognizing means reads out numeric information from a storage means which is provided on the ink container to store numeric information for setting an inkless time corresponding to the kind of ink in the ink container, and sets the inkless time on the basis of the numeric information.”

That is, in an aspect of the invention recited in claim 7, the inkless time can be set directly by using the numeric information from the ink container. Therefore, the feature recited in claim 7 can set a suitable inkless time when a new kind of ink—for which the ink supply system has no information stored in advance—is employed.

The Office Action concedes that Hara does not teach that the empty-ink-container recognizing means reads out numeric information from a storage means provided on the ink container. But the Office Action asserts that Foerster teaches reading out numerical data from a storage means provided on the ink container.

As understood by applicants, Foerster discusses displaying some values on an image screen device 2. The values are supplied by the data receiver 6. (Foerster, Fig. 1). The values are defined as density values, setting and position values, and tolerance values, and are further described as nominal and actual values. (Foerster, Col. 2, ll. 21-22). The values detected in Foerster are values relating to the qualities of the ink in the ink container. Foerster does not teach or suggest reading numeric information from storage means on the ink container to set the inkless time. Similarly, Hara does not teach or suggest detecting numeric information to set the inkless time by reading a time value from a storage means on the ink container and setting the inkless time on the basis of the numeric information. That is, both Hara and Foerster discuss reading information about the type of ink from the ink container but do not discuss reading a time value from a storage means on the ink container and setting the inkless time on the basis of that numeric information.

Therefore, neither Hara nor Foerster teach or suggest storing numeric information for setting the inkless time on a storage means provided on the ink container, the empty ink container recognizing means reading out numeric information from the storage means and setting the inkless time on the basis of the numeric information.

Therefore, it is not possible to achieve the invention of claim 7 by combining the teachings of Hara and Foerster. Therefore, the invention of claim 7 is patentable over Hara and Foerster.

Claim 11 recites “numeric information is read out from a storage means which is provided on the ink container to store a numeric information for setting an inkless time corresponding to a kind of ink in the ink container, and the inkless time is set on the basis of the numeric information comprising a storage means which stores the numeric information for

setting an inkless time corresponding to the kind of ink therein.” Therefore, claim 11 is patentable for substantially the same reasons that claim 7 is patentable, as discussed above.

### III. DEPENDENT CLAIMS

The other claims are dependent from one of the claims discussed above and are therefore believed patentable for at least the same reasons. Because each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested

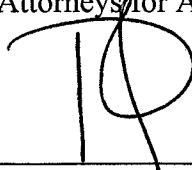
### CONCLUSION

Reconsideration and withdrawal of the rejections and objections of the application are respectfully requested in view of the amendments and remarks presented herein. In view of the foregoing, favorable consideration of claims 7, 9, and 11-12 is earnestly solicited. If however, there is still an outstanding issue; the Examiner is invited to contact the undersigned for its prompt attention.

The Commissioner is authorized to charge any additional fee that may be required to Deposit Account No. 50-0320.

Respectfully submitted,  
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